

Private: Jessica Franklin

Call: 2021
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AREAS OF EXPERTISE

Personal Injury, Employment & Discrimination, Industrial Disease



Jessica specialises in personal injury, disease and employment.

Jessica writes robust pleadings, offers realistic advice on liability and settlement and is a confident advocate. In employment, she is particularly experienced in whistleblowing, discrimination and unfair dismissal claims. In personal injury, she is experienced in a range of areas including complex vicarious liability, disease and military disputes.

Jessica is interested in appellate work and was recently junior counsel in the Court of Appeal and in the Employment Appeal Tribunal.

Jessica is a scholar of Corpus Christi College, Cambridge. She achieved a Distinction in the GDL and the BVS. She was awarded academic scholarships by the City Law School and the Inner Temple to undertake her legal studies.

Prior to coming to the Bar, Jessica had a career in advertising and marketing. She worked in Beijing for a year and has a great interest in Chinese culture, language and food.

Personal Injury

Jessica accepts instructions in a range of personal injury matters and is building a strong multi-track practice.

She has a particular interest in employer liability, stress at work, occupier liability, military disputes and complex issues of vicarious liability.

Jessica has recently been instructed on multi-track claims arising out of a firework injury, an accident in a glass factory, and a stress at work claim on behalf of a helicopter pilot.

Jessica has been instructed in the following military cases:

- Led by Michael Rawlinson KC, to advise a claimant on causes of action in a military parachuting accident in the Middle East. The claim involved complex issues in relation to vicarious liability, applicable law and the State Immunity Act.
- Led by Michael Rawlinson KC, to advise a claimant injured in a military assault course on US soil in relation to vicarious liability, applicable law and the State Immunity Act.
- On behalf of the MOD, to advise on causation and quantum in the Lariam (anti-malaria drug) group litigation.
- On behalf of the MOD, in a claim for psychiatric injury caused by bullying and harassment (pleaded in excess of £500,000).

Employment & Discrimination

Jessica is experienced in whistleblowing, discrimination and unfair dismissal claims and those involving psychiatric injury. She is routinely instructed in multi-day employment trials, acting for both claimants and respondents.

Jessica was junior counsel in *British Airways PLC v Rollett & Others* [2024] EAT 131 (15 August 2024), in which she successfully represented 50 claimants against the airline. The President of the EAT dismissed British Airways' appeal, finding that it had jurisdiction to hear associative indirect discrimination claims. This is the first time the EAT has found that s19 EqA can be read in this way.

Other recent successes include:

- The strike out of an entire whistleblowing and discrimination claim on the basis of employment status.
- The strike out of an entire discrimination claim on the basis of time limits.
- At a PH on jurisdiction, the ET found that the ERA 1996 extended to the claimant's contract, notwithstanding the fact that he was a Danish national, living and working in Denmark.

Industrial Disease

Jessica was instructed for the claimant/appellant in *Cuthbert v Taylor Woodrow* [2024] EWCA Civ 244, led by Michael Rawlinson KC and Max Archer.

Jessica is instructed for a number of claimants bringing mesothelioma claims arising out of exposure to asbestos in South African mines, led by Aliyah Akram and Harry Steinberg KC.

International & Travel

Through her military cases Jessica has gained experience in complex multi-track overseas injury cases. Jessica has advised in issues relating to applicable law and the State Immunity Act in a parachuting accident that happened in the Middle East, and in an assault course accident in the USA (led by Michael Rawlinson KC).

Jessica is instructed for a number of claimants bringing mesothelioma claims arising out of exposure to asbestos in South African mines (led by Aliyah Akram and Harry Steinberg KC). These are pre-*Rome II* and pre-*Private International Law (Miscellaneous Provisions) Act 1995* claims under the common law.

Property

Recent successes for Jessica at trial include:

- For the defendant, in a claim for diminution in value to residential property caused by the installation of telecoms equipment.
- For the defendant, in a claim for property damage caused by a fallen tree.
- For the defendant, in a claim relating to a dispute over contents insurance cover when items were damaged in a house move.
- For the claimant, in a claim for the destruction of a garden wall.

She has drafted a number of property damage defences.

Qualifications & Awards

BVS (Distinction), City Law School (2020-21)
GDL (Distinction), City Law School (2019-20)
BA (First-Class Honours), History of Art, University of Cambridge (2012-15)

Inner Temple, Major Scholarship
Inner Temple, Exhibition Award
City Law School, Scholarship for Academic Excellence
Corpus Christi College, Cambridge, Perowne Prize

Winner, Lawson Moot
Winner, Cecilia Moot
Winner (joint), City GDL Moot

Appointments & Memberships

Attorney General's Junior Junior Panel

PIBA
ELBA
ELA

Publications

PI Focus, 'The Unforeseen and the Unforeseeable: Mesothelioma litigation after Cuthbert v Taylor Woodrow' (September 2024)

12KBW Employment Law Blog, 'Vicarious Liability Under the Equality Act: A review of the law following Anderson v CAE Crewing Services Ltd' (July 2024)

ELA Briefing, 'Associative Indirect Discrimination: a New Class of Claimant' (March 2023)

ELA Briefing, 'Class as a Protected Characteristic?' (March 2022)

12KBW Personal Injury Law Blog ('From Vicarious Liability to Precarious Liability')